

Superfund Program Implementation Manual FY 04/05

Appendix D: Federal Facilities

**This Page Intentionally
Left Blank**

Appendix D Federal Facilities

Table of Contents

D.A.	FEDERAL FACILITIES PRIORITIES	D-1
D.A.1	Overview	D-1
D.A.2	Superfund Federal Facility Goals and Priorities	D-1
a.	Strategic Federal Facility Goals	D-1
D.A.3	RCRA Activities at Federal Facility NPL Sites	D-3
D.A.4	BRAC Budget and Financial Guidance	D-3
a.	Resources and Tracking Mechanisms	D-3
b.	Accountability for Resources	D-4
D.A.5	Federal Facility Site Discovery/Site Assessment	D-5
a.	Overview	D-5
b.	Federal Facility Site Discovery and the Federal Facility Docket Process	D-5
c.	Time Frames for Conducting Federal Facility Site Assessment	D-5
d.	Authority for Conducting Federal Facility Site Assessment - E.O. 12580	D-6
e.	Federal Facility Site Assessment Reports & EPA Review and HRS Evaluation	D-7
D.B.	FACILITIES FY 04/05 TARGETS AND MEASURES	D-8
D.B.1	Overview of FY 04/05 Federal Facilities Targets and Measures	D-8
a.	Reporting of Non-NPL Federal Facilities Data	D-8
D.B.2	Federal Facilities Site Discovery/Site Assessment Definitions	D-11
a.	Site Discovery	D-11
b.	Federal Facility Preliminary Assessment Reviews	D-12
c.	Federal Facility SI Reviews	D-13
d.	Federal Facility ESI Reviews	D-14
D.B.3	Federal Facilities Definitions	D-15
a.	Base Closure Decisions	D-15
b.	Federal Facility Agreement (FFA)/Interagency Agreement (IAG)	D-16
c.	Federal Facility Dispute Resolution	D-17
d.	Use of Supplemental Environmental Projects (SEPs)	D-17
e.	Remedial Investigation/Feasibility Study (RI/FS) or RCRA Facility Investigation (RFI) Starts	D-18
f.	Timespan from Final NPL Listing to RI/FS or RFI Start	D-18
g.	Decision Documents	D-19
h.	Final Remedy Selected/Final ROD Authority	D-19
i.	Explanations of Significant Difference (ESD) and ROD Amendments	D-20
j.	Remedial Design	D-21
k.	Duration of ROD to IAG Negotiation Completion	D-22
l.	Remedial Action (RA) or RCRA Corrective Measure Implementation (CMI) Starts	D-22
m.	Timespan from ROD Signature to RA Start	D-23
n.	RA or CMI Completions	D-23
o.	Removal or RCRA Interim/Stabilization Measure (ISM) — Starts and Completions	D-27
p.	NPL Site Construction Completions	D-27

Appendix D Federal Facilities

Table of Contents (Continued)

q.	Operation and Maintenance (O&M)	D-30
r.	Cleanup Goals Achieved	D-30
s.	Federal Facility Five-Year Reviews	D-31
t.	Federal Facility Partial NPL Deletion	D-32
u.	Federal Facility Final NPL Deletion	D-33
D.B.4	Community Involvement Definitions	D-34
a.	Restoration Advisory Boards (RABs)/Site-Specific Advisory Boards (SSABs)	D-34
b.	Technical Assistance Grants (TAGs) this section is pending review by OGC and EPA	
	GRANTS	D-34
c.	Technical Outreach Services for Communities (TOSC)	D-35
D.C.	SUBJECT MATTER EXPERTS	D-35

Appendix D
Federal Facilities

List of Exhibits

EXHIBIT D.1 FEDERAL FACILITIES ACTIVITIES D-9

EXHIBIT D.2 REMEDIAL PIPELINE FLOW CHARTS D-26

EXHIBIT D.3 SUBJECT MATTER EXPERTS D-35

**This Page Intentionally
Left Blank**

APPENDIX D FEDERAL FACILITIES PRIORITIES

D.A FEDERAL FACILITIES PRIORITIES

D.A.1 OVERVIEW

To manage the Superfund Federal facilities program, the Federal Facilities Enforcement Office (FFEO) and the Federal Facilities Restoration and Reuse Office (FFRRO) use the Federal Facilities Leadership Council (FFLC) to help identify and resolve issues unique to the management of EPA's Superfund Federal facility response program. The FFLC is comprised of Superfund and/or the Resource Conservation and Recovery Act (RCRA) program and enforcement/counsel representatives from all regions, as well as representatives from the Federal facilities Headquarters (HQ) offices and other HQ offices that handle Federal facility issues.

Federal agencies conducting the cleanups have seen their budgets level out or reduced over the last few years. The FY 03 Department of Defense's (DoD) cleanup budget was \$1.8 billion including work at Base Closing installations, and the FY 03 Department of Energy's (DOE) environmental management budget was about \$6.7 billion. Other Federal agencies' budgets are considerably smaller. There are approximately 107 BRAC Installations where EPA supports the DoD cleanup and transfer process. EPA's FY 03 BRAC funding request to DoD provides \$8.6 million to fund 73.5 Full Time Equivalent (FTE) positions.

D.A.2 SUPERFUND FEDERAL FACILITY GOALS AND PRIORITIES

a. Strategic Federal Facility Goals

Superfund Federal facility activities have high visibility because of the significant threats posed by military and weapons sites, the impact of military base closings, the resources needed to implement DoD/DOE cleanup efforts at facilities listed on the NPL and other non-NPL facilities, and heightened State, Tribal and other stakeholder interests. Federal facility program goals for FY 02/03 are based on a number of related factors, including overall Superfund program goals, anticipated resource constraints, Congressional interest, and statutory requirements. Program activities and resources should be planned to achieve the following goals of the Federal facility program's strategic plan:

- **Expediting Property Reuse** - When installations are slated for closure or realignment, environmental restoration activities continue with the same cleanup objective as those of active installations -- protect human health and the environment. At the time of closure or realignment, specific BRAC property, and its possible future use, is identified. The closed or realigned property will eventually be transferred to another Service Component, Federal agency or a non-Federal entity, such as a state or local government or private entity. Along with cleanup objectives, BRAC installations focus on efficient property transfer, providing beneficial reuse of the property by the local community. At BRAC installations, both environmental restoration and property disposal activities are carried out pursuant to environmental and Federal property management laws (Defense Environmental Restoration Program (DERP), National Environmental Act, (NEPA), and CERCLA. Three overarching principles guide expedited cleanup: 1) protect human health and the environment; 2) make property available for reuse and transfer as soon as possible; and 3) provide for effective community involvement. In an effort to ensure that cleanup is addressed in a systematic and safe manner, with the worst sites remediated first, DoD developed the Relative-Risk Site Evaluation system. With revitalization being one of OSWER's six priorities, property reuse is a GPRA initiative OSWER is currently establishing for the cleanup program. The number of BRAC acres planned for transfer or lease, and the number of acres transferred or leased are currently being tracked by DoD.

- **Site Construction Completions** - Regional efforts should be focused on getting to completion of construction at Federal facilities whether they are accomplished under remedial or removal authority. Meeting this goal will help build the Superfund program's credibility, which is vital to Superfund's long-term success.
- **Involving Citizens in Environmental Decision Making** - The publication of the *Final Report of the Federal Facilities Environmental Restoration Dialogue Committee* in April 1996 was a watershed event for public involvement in Federal facility cleanups. As a result of the report, Federal agencies have established Restoration Advisory Boards (RABs) at DoD installations and Site Specific Advisory Boards (SSABs) at DOE facilities. Other Federal agencies are also starting to form advisory boards. Regional staff and management are expected to be especially sensitive to the requests at NPL facilities and at the BRAC facilities. Because of resource constraints, participation and support for non-NPL facilities is expected to be minimal. In addition, because many of the communities surrounding the Federal facilities are communities of color, low-income, and have been historically politically and economically disenfranchised, regions should give close scrutiny to environmental justice issues at the NPL Federal facilities. Regions need to work closely with State agencies and their Federal counterparts to ensure that the President's Executive Order on Environmental Justice is successfully carried out (E.O. 12898).
- **Environmental Indicators** - In addition to Construction Completions, Environmental Indicators (EI) provide current site information regarding risk reduction at sites where cleanup is ongoing. It is important to focus on EI data because it will ensure that those who monitor the Superfund program will be aware of progress at sites where construction has not been completed.
- **Enforcing the Laws** - The public needs to know that it will be protected from environmental hazards through vigorous enforcement by the EPA and the States for violations of environmental laws and situations that put people and natural resources at risk. EPA intends to use its enforcement authorities not only to compel compliance, but also to promote long-term policy objectives such as greater citizen involvement, pollution prevention, technology development, and natural resource management.
- **Environmental Management Systems and Pollution Reduction Targets** - Executive Order 13148, *Greening the Government Through Leadership in Environmental Management*, established a framework for integrating environmental considerations into each Federal agency's mission through a variety of directives and goals, including the implementation of environmental management systems, reductions in releases of toxic chemicals, and elimination of procurement of ozone depleting substances. The E.O. requires that an EMS be implemented at appropriate Federal facilities by the end of 2005, based on a facility's size, complexity, and environmental aspects. Additionally, the E.O. requires Federal agencies to have a program in place to periodically audit facilities' compliance with environmental regulations. Findings from those audits are to be included in the budget and planning activities of the agency to ensure that non-compliance is adequately addressed.

Executive Order 13148 also call for further improvement in the Toxics Release Inventory (TRI) reduction success achieved under a previous E.O. The E.O. requires a 40% reduction in reported Federal releases by December 31, 2006, from a baseline year of 2001. Similarly, the E.O. reflects ongoing efforts to identify substitute chemicals or processes to reduce environmental damage, risk and liability. The language in the E.O. calls for development of a list of priority chemicals used by the Federal Government that may result in significant harm to human health or the environment and that have known, readily available, less harmful substitutes for identified applications and purposes. Agencies are directed to reduce the use of those priority chemicals.

Regions should continue to strive to place these priorities and project milestones in enforceable Federal Facility Agreements (FFAs)/Interagency Agreements (IAGs) at NPL sites. FFAs and IAGs should be viewed as living, dynamic

documents reflecting not only the best judgments by all parties of cleanup priorities and milestones at the time of agreement, but also that reflect the changing circumstances of environmental cleanup.

D.A.3 RCRA ACTIVITIES AT FEDERAL FACILITY NPL SITES

EPA has long recognized that because most of the Federal facility sites are also active facilities, RCRA requirements may also apply to certain **work management and** site cleanup activities. **Consistent with the Federal facility RCRA/CERCLA coordination policy developed under the One Cleanup Program, regions must strive to eliminate RCRA/CERCLA duplications wherever appropriate.** To get a better overall picture of a facility's cleanup activities, FFRRO has integrated into the Government Performance and Results Act (GPRA) and program measures several RCRA activities that are generally analogous with CERCLA activities. They include: RCRA Facility Investigation (RFI); Corrective Measures Study (CMS); Corrective Measure Design (CMD); Interim/Stabilization Measure (ISM); and Corrective Measure Implementation (CMI), Human Exposures Under Control and Migration of Contaminated Groundwater Under Control. FFEO has already accomplished a similar exercise through the Federal Facility Tracking System.

D.A.4 BRAC BUDGET AND FINANCIAL GUIDANCE

a. Resources and Tracking Mechanisms

The primary mission of the **BRAC** program is to ensure that the hazardous waste sites owned or operated by the Federal government are addressed and cleaned up as quickly as possible **and made available to support the reuse of properties.** Regional efforts should be focused on **achieving** completion of **cleanup** construction activities at Federal facilities whether they are accomplished under remedial or removal authority.

Under the Base Realignment and Closure Acts (BRAC) of 1988, 1991, 1993, and 1995, **490** military installations were scheduled for closure or realignment. Of this total, 107 are **covered through an MOU between EPA and DOD**, and of **this total 33 BRAC** sites are on the NPL. **The remaining are classified as non-NPL sites which require** some degree of decontamination. The Agency continues to assist DoD in assessing these properties, accelerating cleanup actions wherever possible, listing sites on the NPL when appropriate, and ensuring that remedies selected reflect the views of the affected communities surrounding the sites **and the proposed future reuse.** HQ and Regional managers must work with DoD, tribal, state, local governments, and private interests to expedite cleanup and support property transfer, reuse and economic development.

Program management guidance is included in **EPA's 1996 BRAC Fast Track** guidance. Beginning in FY 1994, DoD provided EPA, via an interagency funding agreement, with **funding** to support EPA's cleanup, **property transfer and public involvement** activities. DoD, EPA, and the Office of Management and Budget (OMB) worked together to develop the details of this agreement, which included 100 additional **FTEs** for EPA and \$7 million starting in FY 1994. In early FY 1996, EPA reached agreement with DoD to fund EPA support for BRAC 4 (1995) installations designated as Fast Track Cleanup sites. As a result, interagency funding agreement for BRAC rounds I, II, III, and IV was assured through FY 01. Although the program is ramping down, DoD is currently funding **62.0 BRAC reimbursable** FTEs. EPA and DOD **finalized** the FY 2002 EPA/DoD BRAC memorandum of understanding **ensuring funding will be provided** through FY 2005 to EPA for its continued support at BRAC installations. EPA's participation in the BRAC program has afforded DOD an estimated cost savings of \$344M and 403 project years through FY 2001. BRAC has enabled EPA to facilitate property reuse through expedited cleanup. The FY 2002 National Defense Authorization Act authorized a new round of BRAC for 2005. **EPA and DOD are currently working on a new memorandum of understanding to ensure funding post-September 2005 when the current MOU expires, and it will include sites slated for closure in the next round of BRAC.**

The majority of EPA's BRAC resources are **directed to** the regions for technical, regulatory **and property transfer** oversight at BRAC installations. EPA uses Base Closure funding for EPA personnel to participate on BRAC Base Cleanup Teams (BCT) as either the EPA designated team member or as technical experts. EPA Regional Federal Facility programs, in conjunction with the Office of Regional Counsel, Regional NEPA teams, State environmental regulatory agencies, and DoD, have formed a BCT for each of the BRAC installations. The BCT is comprised of one representative from the EPA region, one representative from the State, and one representative from DoD. The BCT serves as the primary forum in which issues affecting the execution of cleanup to facilitate reuse will be addressed. EPA relies upon in-house expertise; no BRAC funds are used for contractor support. Contractor support is provided under the Agency's Superfund Federal Facility response budget.

Regions are allocated work years and personnel, travel, and administrative funding based on negotiations **between** EPA and DoD. The level of EPA support varies depending on regional and base specific circumstances.

The Agency monitors these DoD reimbursable resources via the Office of the Comptroller's (OC) Integrated Financial Management System (IFMS), which tracks HQ and regional expenditures separately for each BRAC round. EPA utilizes site-specific charging to track resource utilization back to actual site work. This separate tracking of BRAC round expenditures is required by BRAC legislation. EPA reports quarterly on their utilization to DoD and annually to OMB. [OC, Financial Management Division (FMD), Cincinnati, Ohio invoices DoD on actual program obligations incurred by EPA.]

HQ receives regular program activity reports from the regional offices, on the progress of work at all **BRAC** installations. These reports are generated by the EPA Regional BRAC Cleanup Team personnel and provide HQ and DoD with pertinent program information related to cleanup and reuse. **FFRRO and the Cincinnati Finance Office use MARS, IFMS, Business Objects and Financial Data Warehouse for monitoring BRAC resources. The Cincinnati Finance Office provides quarterly BRAC billing statements (by installation and funds received, expended and remaining balance) to DoD.**

b. Accountability for Resources

BRAC reimbursable work years and funding **must be used** only for EPA related Base Closure activities. Military Base Closure activities are activities related to cleanup of specific **installations** identified by the Office of Solid Waste and Emergency Response (OSWER) (in consultation with DoD). These activities include: accelerating the identification of clean parcels under the Community Environmental Response Facilitation Act (CERFA); developing BRAC Cleanup Plans (BCP); promoting community involvement in cleanup decision-making; preparing and reviewing site documents [e.g., BCP, Environmental Baseline Survey (EBS), RI/FS, RODs, RD, and RAs] and RCRA documents (e.g., RFI Starts, CMD Starts, and ISM Starts and Completions); studying and sampling field data; National Environmental Protection Act (NEPA) review and analysis; assisting DoD or States with BRAC site issues; and activities supporting EPA personnel participation in the BRAC program. These activities are outlined in the Memorandum of Understanding between EPA and DoD dated February 3, 1994, and subsequent memorandums and guidance related to EPA BRAC resources.

As the signatory and executing agent for the reimbursable agreement with DoD, the Assistant Administrator for OSWER (AA OSWER) will rely on Regional Administrators and, as the primary focus of the EPA BRAC resources, the Regional RCRA/Superfund National Program Managers to ensure reimbursable costs are accurate and appropriate. Each region has identified an individual in the appropriate division that is responsible for coordinating the Regional BRAC program and resources, and acts as a day-to-day liaison with OSWER and DoD. FFRRO, within OSWER, provides the AA OSWER with programmatic and financial reviews of regions. Reprogramming of funds submitted to the OC require notification of FFRRO for their approval.

HQ and regional personnel utilizing BRAC resources should receive authorization from their appropriate regional senior managers and use the established BRAC budget program. The EPA Remedial Project Manager (RPM) and the support team are empowered to make decisions locally to the maximum extent possible. EPA has delegated certain authorities to the Regional Administrators (e.g., CERFA and CDR concurrence), who have in turn redelegated the authorities to other levels within their organizations. Regional personnel should be familiar with their internal delegation of authorities. Should the need arise, the RPM and support team will have the ability to raise issues immediately to senior EPA officials for resolution.

Note: Additional specific BRAC information can be found in EPA's 1996 *Fast Track Program Guidance*.

D.A.5 FEDERAL FACILITY SITE DISCOVERY/SITE ASSESSMENT

a. Overview

The Federal Facility Site Discovery and Site Assessment Process is different from the non-Federal site process in at least four aspects:

- (1) The process for Federal facilities involves listing Federal facility sites on the EPA Federal Agency Hazardous Waste Compliance Docket prior to conducting FF PAs;
- (2) Time frames for completing site assessment activities;
- (3) The authority for conducting Federal facility site assessments has been delegated to the Federal Agencies under Executive Order 12580; and
- (4) EPA is required to review Federal facility site assessment reports and evaluate such facilities in accordance with the HRS criteria.

b. Federal Facility Site Discovery and the Federal Facilities Docket Process

Section 120(c) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requires EPA to establish a Federal Agency Hazardous Waste Compliance Docket which contains information reported to EPA by Federal facilities that manage hazardous waste or have or may have released hazardous waste.

Section 120(d)(1) of CERCLA requires that EPA take steps to assure that a PA be conducted for each Federal facility included on the published list of Federal facilities reported pursuant to Section 120(c) of CERCLA (the "Federal facilities docket"). Section 120(d)(3) of CERCLA requires that such evaluation be completed within a reasonable schedule. The PA is designed to provide information for EPA to consider when evaluating the site for potential listing on the National Priorities List. Any potential site is usually first entered into CERCLIS as a Site Discovery. Subsequent to this entry, the site is proposed as an addition to the Federal Docket¹.

c. Time Frames for Conducting Federal Facility Site Assessments

SARA section 120(d) originally required that a preliminary assessment (PA) be performed at federal facility sites within 18 months following placement on the docket, and listing on the National Priorities List (NPL) be completed within 30 months, if appropriate. This time frame was amended by section 330 of the 1997 Defense Authorization Act. The new language required that evaluation and listing be completed "in accordance with a reasonable schedule established by the Administrator."

¹ There may be instances when a facility included in the docket may not be listed in the CERCLIS database.

EPA believes the most reasonable schedule for assessing Federal facility sites listed on the Docket would be one consistent with the schedule for assessing non-Federal facility sites which are tracked in Superfund's CERCLIS hazardous waste site database. Potential budgeting issues of the Federal facility may also be a factor in conducting a PA. Under Superfund policy (OSWER directive 9200.3-14-1E), EPA attempts to complete a PA within 1 year of discovering a non-federal facility site (inclusion on CERCLIS). However, the need of federal agencies to wait for the next budget cycle to obtain funding may make the 1 year time frame problematic in many cases. Further, past experience using the 18 month time frame has shown it to be a reasonable period of time for completion of the federal facility PA. As a result, it is appropriate to expect federal facilities to submit completed PAs within 18 months from inclusion on the federal facility docket. Of course, in cases where a PA petition is submitted pursuant to CERCLA section 105(d), a PA may need to be completed within 12 months.

It is worth noting that under section 116(b) of SARA, a facility should be evaluated within 4 years of CERCLIS listing. EPA believes this is a reasonable time frame for making listing decisions at federal facility sites as well. Following receipt of a PA, EPA typically evaluates the PA and determines if further work in the form of a Site Inspection (SI) is necessary. If so, the federal facility then performs the SI and submits it to EPA. Then, EPA evaluates the SI and determines if more information or sampling from the federal facility is needed. If it is, the federal agency obtains the information and/or performs the sampling. In some cases, an expanded SI may be needed to prepare an HRS package. Then, EPA prepares the HRS listing package, based on the data provided by the federal facility, and formally proposes the site for NPL listing. Historically, it was extremely difficult for EPA and the federal agencies to complete these tasks within the 30 months originally provided under section 120(d), and EPA believes 48 months is a more appropriate and reasonable time for both the federal facility and EPA.

Thus, the appropriate federal agency should conduct a preliminary assessment within 18 months of placement of its site on the Federal facility docket, and subsequent data should be provided to EPA to ensure a final listing decision within four years of docket placement. EPA and the individual agencies should work together to ensure these time frames are met.

d. Authority for Conducting Federal Facility Site Assessments - E.O. 12580

Sections 104(b) and (e) of CERCLA grant to the President broad investigative authority to conduct a PA or a Site Inspection (SI). The President has delegated this authority through Executive Order 12580 to the heads of the respective executive departments and agencies with jurisdiction, custody, or control over their facilities. The NCP provides for the lead Federal agency to perform a PA and, as appropriate, an SI, on all sites in CERCLIS (see 40 CFR Part 300.420(b) (1) and (c) (1)). Section 300.5 of the NCP defines "lead agency" generally to be the executive agency with jurisdiction, custody, and control over the facility on which a release occurs or is from (except in the case of an emergency). Accordingly, each Federal agency typically is the lead agency to conduct a PA or an SI on facilities within its respective jurisdiction, custody, or control.

EPA must take steps to assure that a PA is completed for facilities on the Federal facilities docket where the respective Federal agencies are delegated the authority to conduct a PA or SI, and thus the respective Federal agencies are the "lead agency" for conducting such investigations.

e. Federal Facility Site Assessment Reports & EPA Review and HRS Evaluation

For Federal facilities, the Superfund site assessment process begins when the facility has been listed on the Federal Agency Hazardous Waste Compliance Docket. When a Federal facility submits a PA report, or if warranted an SI report, EPA evaluates the site in accordance with the Hazard Ranking System (HRS) final rule²² to determine whether the site poses a threat to human health and/or the environment.

If EPA determines that the site does not pose a threat to human health and the environment based on the data provided in the PA or SI reports, then EPA will designate a decision of “No Further Remedial Action Planned” (NFRAP) under Superfund. A decision not to take further response/remedial action under the Superfund program is based on a finding that the facility/situation does not meet the minimum CERCLA eligibility requirements or that there is insufficient risk to human health or welfare, or the environment to be included or proposed, at this time on the NPL by the EPA. This decision does not preclude any further action at the facility by the State or other Federal agency. If the results of the SI or combined PA/SI indicate that the site warrants further investigation based on the HRS evaluation, EPA will prepare an HRS scoring package to propose placing the site on the NPL. To make such an NPL decision, EPA may collect further data to complete the HRS package.

FF Docket sites can be tracked through the Federal Facility docket screen in CERCLIS. The Federal Facility Docket screen allows users to enter new Federal Facility Docket sites, select sites from the Federal Facility Docket universe, and to manage site assessment activities (i.e., Federal facility Preliminary Assessment Review and Federal facility Site Inspection review actions) at these sites. The Federal Facility Docket screen will assure that site assessment activities are being or have been conducted for all Federal Facilities listed on the docket per CERCLA Section 120(d). For more in depth understanding of the site assessment process for Federal Facilities see the new *Summary Guide to Conducting PAs at Federal Facilities (2004)* and the complete PA Guidance - *Guidance for Performing Preliminary Assessments Under CERCLA (1991)*; and the new *Federal Facilities SI Summary Guide (2004)* and the complete SI Guidance - *Guidance for Performing Site Inspections Under CERCLA (1992)*, and *Appendix A: Statutory and Regulatory Requirements Summary (2004)* to the Summary Guides.

²²Hazard Ranking System; Final Rule, 40 CFR Part 300, Appendix A, Federal Register, Vol. 55, No. 241, December 14, 1990.

D.B. FEDERAL FACILITIES FY 04/05 TARGETS AND MEASURES

D.B.1 OVERVIEW OF FY 04/05 FEDERAL FACILITIES TARGETS AND MEASURES

The Superfund Comprehensive Accomplishments Plan (SCAP) is used by the AA SWER, Assistant Administrator for OECA (AA OECA), and senior Superfund managers to monitor the progress each region is making towards achieving the Government Performance and Results Act (GPRA) targets and annual performance goals. In addition, SCAP will continue to be used as an internal management tool to project and track activities that contribute to these GPRA goals and support resource allocation. The program (regions and HQ) will set national goals based on historical performance and performance expectations within a limited budget for the performance goals in GPRA and track accomplishments in the activities contributing to those goals. Regions should continue to plan and report accomplishments in WasteLAN as has been done traditionally.

To more clearly reflect the relationship between GPRA and the SCAP process, GPRA annual performance goals and measures and program targets and measures are defined as follows:

- **GPRA Annual Performance Goals (APG) and GPRA Annual Performance Measures (APM)** - The Agency's Annual Plan describes the specific annual performance goals, annual measures of outputs and outcomes, and activities aimed at achieving the performance goals that will be carried out during the year. APGs are the specific activities that the Agency plans to conduct during the fiscal year in an effort towards achieving its long-term strategic goals and objectives. APMs are used by managers to determine how well a program or activity is doing in achieving milestones that have been set for the year. The annual performance goals will inform Congress and Agency stakeholders of the expected level of achievement for the significant activities covered by the GPRA objective. The goals are a subset of the overall planning and budgeting information that has traditionally been tracked by the Superfund program offices.
- **Program Targets and Measures** are activities deemed essential to tracking overall program progress. Program targets are used to identify and track the number of actions that each region is expected to perform during the year and to evaluate program progress. Program measures are used to show progress made in achieving program priorities.

The following pages contain, in pipeline order, the definitions of the FY 04/05 Federal facilities targets and measures. Exhibit D.1 displays the full list of Federal facilities activities that are defined in the remainder of the Appendix, and identifies the FY 04/05 targets and measures. Exhibit D.3, at the end of this Appendix, describes the planning requirements for Federal facilities activities.

a. Reporting of Non-NPL Federal Facilities Data

Regions are responsible for entering data into WasteLAN for **Non-NPL** Federal facility sites, especially the BRAC Sites.

EXHIBIT D.1 (1 of 3)
FEDERAL FACILITIES NPL SITES

ACTIVITY	GPRA		PROGRAM	
	APG	APM	Target	Measure
Site Discovery				✓□
Federal Facility Preliminary Assessment Reviews				✓□
Federal Facility SI Reviews				✓□
Federal Facility ESI Reviews				✓□
Base Closure Start (if applicable)				✓□
Base Closure Completion (if applicable)		✓□		
Federal Facility Agreement (FFA)/Interagency Agreement (IAG)				✓□
Federal Facility Dispute Resolution				✓□
Use of Supplemental Environmental Projects (SEPs)				✓□
RI/FS or RCRA Facility Investigation (RFI) Starts				✓□
Final NPL Listing to RI/FS Start		✓□		
Decision Documents			✓□	
Final Remedy Selected/Final ROD Authority		✓□		
ESD or ROD Amendment				✓□
Remedial Design				✓□
Duration of ROD to IAG Completion		✓□		
RA or Corrective Measure Implementation (CMI) Starts				✓□
Timespan from ROD Signature to RA Start		✓□		
RA or CMI Completion			✓□	
Removal or RCRA Interim/Stabilization Measure (ISM) Starts		✓□		
Removal or RCRA Interim/Stabilization Measure (ISM) Completions				✓□
NPL Site Construction Completions	✓□			
Operation and Maintenance (O&M)				✓□
Cleanup Goals Achieved				✓□
Federal Facility Five-Year Reviews				✓□
Federal Facility Partial NPL Deletion				✓□
Federal Facility Final NPL Deletion				✓□
Restoration Advisory Boards (RABs)/Site-Specific Advisory Boards (SSABs)		✓□		
Technical Assistance Grants (TAGs)				✓□

NOTE: Accomplishments are pulled from WasteLAN on a bi-annual basis.

EXHIBIT D.1 (2 of 3)
FEDERAL FACILITIES BRAC SITES

ACTIVITY	GPRA		PROGRAM	
	APG	APM	Target	Measure
Site Discovery				✓□
Federal Facility Preliminary Assessment Reviews				✓□
Federal Facility SI Reviews				✓□
Federal Facility ESI Reviews				✓□
Base Closure Decision Starts (if applicable)				✓□
Base Closure Decision Completions (if applicable)		✓□		
RI/FS Start or RCRA Facility Investigation (RFI) Starts				✓□
Decision Documents				✓□
Final Remedy Selected/Final ROD Authority		✓□		
ESD or ROD Amendment				✓□
Remedial Design				✓□
RA or Corrective Measure Implementation (CMI) Starts				✓□
RA or CMI Completion				✓□
Removal or RCRA Interim/Stabilization Measure (ISM) Starts		✓□		
Removal or RCRA Interim/Stabilization Measure (ISM) Completions				✓□
NPL Site Construction Completions (if on NPL)	✓□			
Operation and Maintenance (O&M) (if applicable)				✓□
Federal Facility Five-Year Reviews (if applicable)				✓□
Federal Facility Partial NPL Deletion (if applicable)				✓□
Federal Facility Final NPL Deletion (if applicable)				✓□
Restoration Advisory Boards (RABs)/Site-Specific Advisory Boards (SSABs)		✓□		
Technical Assistance Grants (TAGs)				✓□
Technical Outreach Support for Communities (TOSC)				✓□

EXHIBIT D.1 (3 of 3)
FEDERAL FACILITIES NON-NPL SITES

ACTIVITY	GPRA		PROGRAM	
	APG	APM	Target	Measure
RA or Corrective Measure Implementation (CMI) Starts				✓ <input type="checkbox"/>
RA or CMI Completion				✓ <input type="checkbox"/>
Removal or RCRA Interim/Stabilization Measure (ISM) Starts		✓ <input type="checkbox"/>		
Removal or RCRA Interim/Stabilization Measure (ISM) Completions				✓ <input type="checkbox"/>
Restoration Advisory Boards (RABs)/Site-Specific Advisory Boards (SSABs)		✓ <input type="checkbox"/>		
Technical Outreach Support for Communities (TOSC)				✓ <input type="checkbox"/>

NOTE: Definitions apply to all site categories.

D.B.2 FEDERAL FACILITIES SITE DISCOVERY/SITE ASSESSMENT DEFINITIONS

a. SITE DISCOVERY

Definition:

Site discovery is the process by which a potential hazardous waste site is entered into the CERCLIS inventory for NPL assessment activities. The process starts when the facility has been listed on the Federal Agency Hazardous Waste Compliance Docket. NOTE: There may be instances when a facility included in the docket may not be listed in the CERCLIS database.

All sites moving through the NPL assessment process must have a Discovery action and actual completion date documented in WasteLAN. Entry of the site discovery date initiates the NPL assessment process and places the site on the FF Preliminary Assessment Review backlog.

Definition of Accomplishment:

After the region determines the Federal facility is a valid CERCLA site, the site discovery date for Federal facilities is the date the site is formally added to the Federal Hazardous Waste Compliance Docket. The Site Name and Discovery Date must be entered into WasteLAN for sites. Valid leads for site discovery actions include: "Fund-Financed (F)"; "EPA-In House (EP)"; "State (S)"; "Tribal (TR)"; and "Federal Facility (FF)."

Changes in Definition FY 02/03 - FY 04/05:

This measure has been modified to reflect FF sites only.

Special Planning/Reporting Requirements:

Actual start and planning dates are not required for the Discovery action. The Discovery date is entered through the Add Site screen. The Discovery date will automatically populate the actual completion date for the Discovery action. Regions are now required to enter information on site type at the time of discovery on the Add Site or Site Discovery/Initiation screen. Multiple discovery actions are not allowed. Site discovery is a program measure.

Note: A separate field has been added to WasteLAN to record site initiation dates for removal-only sites. Sites that are subject only to removal interest generally do not require a discovery date. An exception is where a large scale removal action has been completed and the region seeks credit for a non-NPL site completion. Non-NPL site completions require site assessment review indicating the site has no further remedial actions planned. The discovery date for sites referred from removal to assessment should be the date the referral decision is made.

Regions are responsible for maintaining the accuracy of the non-NPL status for every non-NPL site in the CERCLIS inventory. As new actions and new dates are entered into WasteLAN, the system automatically calculates a new value for this field based on the traditional sequence of site assessment work. Regions must confirm or change this value as appropriate.

b. FEDERAL FACILITY PRELIMINARY ASSESSMENT REVIEWS

Definition:

Federal Facility Preliminary Assessment Review is a quality assurance review of a PA or PA-equivalent report submitted by another Federal Agency. EPA's role at Federal facilities is to review PA reports developed and submitted by the Federal agencies responsible for a given Federal facility. Upon reviewing the PA or PA-equivalent report for completeness, and working with the other Federal agency to address any deficiencies, EPA then determines what next steps are appropriate with respect to NPL listing.

Backlogs

The Federal Facility PA Review backlog consists of Federal facility sites with a Non-NPL Status of "FF-PA review needed" or "FF-PA review ongoing."

Definition of Accomplishment:

Federal Facility PA Review Starts - A Federal Facility PA Review (Action Name = Federal Facility Preliminary Assessment Review) is started when the EPA starts an in-house review of the Federal facility PA or PA-equivalent, and WasteLAN contains the actual PA start date (Actual Start) and a valid action lead of "Fund-Financed (F)"; "EPA-In House (EP)".

Federal Facility PA Review Completions - A Federal Facility PA Review (Action Name = Federal Facility Preliminary Assessment Review) is completed when:

- ☐ The appropriate Regional official signs a letter, form, or memo approving the PA report. The Federal Facility Preliminary Assessment Review actual completion date is the date the Federal facility PA report is approved;
- ☐ WasteLAN contains the actual Federal Facility Preliminary Assessment Review completion date (Actual Complete) a lead and a "decision" on whether further activities are necessary in the Qualifier field; and
- ☐ The decision is documented by completing the Site Decision Form 9100-3 in WasteLAN or an equivalent document. The decision document must be printed, signed by the appropriate Regional official, and placed in the file.

A valid decision must be recorded in WasteLAN upon completion of a Federal facility PA Review. Please refer to Exhibit A.2 in section A.A.5 for a list of valid qualifiers for this action and a description of each qualifier.

Changes in Definition FY 02/03 - FY 04/05:

State and Tribal leads were deleted as valid leads for this action.

Special Planning/Reporting Requirements:

Regions should attempt to complete PA reviews at Federal facility sites listed in the CERCLIS inventory within a reasonable schedule upon receipt of a sufficient PA. PA review starts and completions are reported site-specifically in WasteLAN. Federal Facility Preliminary Assessment Review starts and completions are program measures.

If the Federal facility PA report does not provide sufficient information to complete the PA, the report should be referred back to the Federal facility (SubAction Name = Referred back to Fed Fac). The date the report is referred back to the Federal facility is entered into WasteLAN as the actual completion date (Actual Complete) of the SubAction, 'Referred back to Fed Fac'. The actual completion date and qualifier for the Federal Facility Preliminary Assessment Review should not be entered until all the report deficiencies have been addressed.

Regions are responsible for maintaining the accuracy of the non-NPL status for every non-NPL site in the CERCLIS inventory. As new actions and new dates are entered into WasteLAN, the system automatically calculates a new value for this field based on the traditional sequence of site assessment work. Regions must confirm or change this value as appropriate.

c. FEDERAL FACILITY SI REVIEWS

Definition:

Federal Facility Site Inspection Review is a quality assurance review of a SI or SI-equivalent report submitted by another Federal Agency. EPA's role at Federal facilities is to review SI reports developed and submitted by the Federal agencies responsible for a given Federal facility. Upon reviewing the SI or SI-equivalent report for completeness, and working with the other Federal agency to address any deficiencies, EPA then determines what next steps are appropriate with respect to NPL listing.

Backlogs

The Federal Facility SI Review backlog consists of sites with a Non-NPL Status of "FF-SI review needed" or "FF-SI review ongoing."

Definition of Accomplishment:

Federal Facility SI Review Starts - A Federal Facility SI Review (Action Name = Federal Facility Site Inspection Review) is started when the EPA starts an in-house review of the Federal facility SI or SI-equivalent, and WasteLAN contains the actual SI start date (Actual Start) and a valid action lead of "Fund-Financed (F)"; "EPA-In House (EP)".

Federal Facility SI Review Completions - A Federal Facility SI Review (Action Name = Federal Facility Site Inspection Review) is completed when:

- ☐ The appropriate Regional official signs a letter, form, or memo approving the SI report. The Federal Facility Site Inspection Review actual completion date is the date the Federal facility SI report is approved;
- ☐ WasteLAN contains the actual Federal Facility Site Inspection Review completion date (Actual Complete) a lead and a "decision" on whether further activities are necessary in the Qualifier field; and
- ☐ The decision is documented by completing the Site Decision Form 9100-3 in WasteLAN or an equivalent document. The decision document must be printed, signed by the appropriate Regional official, and placed in the file.

A valid decision must be recorded in WasteLAN upon completion of a Federal facility SI Review. Please refer to Exhibit A.2 in section A.A.5 for a list of valid qualifiers for this action and a description of each qualifier.

Changes in Definition FY 02/03 - FY 04/05:

State and Tribal leads were deleted as valid leads for this action.

Special Planning/Reporting Requirements:

Regions should attempt to complete SI reviews at Federal facility sites listed in the CERCLIS inventory within a reasonable schedule upon receipt of a sufficient SI. SI review starts and completions are reported site-specifically in WasteLAN. Federal Facility Site Inspection Review starts and completions are program measures.

If the Federal facility SI report does not provide sufficient information to complete the SI, the report should be referred back to the Federal facility (SubAction Name = Referred back to Fed Fac). The date the report is referred back to the Federal facility is entered into WasteLAN as the actual completion date (Actual Complete) of the SubAction, 'Referred back to Fed Fac'. The actual completion date and qualifier for the Federal Facility Site Inspection Review should not be entered until all the report deficiencies have been addressed.

Regions are responsible for maintaining the accuracy of the non-NPL status for every non-NPL site in the CERCLIS inventory. As new actions and new dates are entered into WasteLAN, the system automatically calculates a new value for this field based on the traditional sequence of site assessment work. Regions must confirm or change this value as appropriate.

d. FEDERAL FACILITY ESI REVIEWS

Definition:

Federal Facility Expanded Site Inspection Review is a quality assurance review of a ESI or ESI-equivalent report submitted by another Federal Agency. EPA's role at Federal facilities is to review ESI reports developed and submitted by the Federal agencies responsible for a given Federal facility. Upon reviewing the ESI or ESI-equivalent report for completeness, and working with the other Federal agency to address any deficiencies, EPA then determines what next steps are appropriate with respect to NPL listing.

Backlogs

The Federal Facility ESI Review backlog consists of sites with a Non-NPL Status of "FF-ESI review needed" or "FF-ESI review ongoing."

Definition of Accomplishment:

Federal Facility ESI Review Starts - A Federal Facility ESI Review (Action Name = Federal Facility ESI Review) is started when the EPA starts an in-house review of the Federal facility ESI or ESI-equivalent, and WasteLAN contains the actual ESI start date (Actual Start) and a valid action lead of "Fund-Financed (F)"; "EPA-In House (EP)".

Federal Facility ESI Review Completions - A Federal Facility ESI Review (Action Name = Federal Facility ESI Review) is completed when:

- ☐ The appropriate Regional official signs a letter, form, or memo approving the ESI report. The Federal Facility Expanded Site Inspection Review actual completion date is the date the Federal facility ESI report is approved;
- ☐ WasteLAN contains the actual Federal Facility Expanded Site Inspection Review completion date (Actual Complete) a lead and a "decision" on whether further activities are necessary in the Qualifier field; and
- ☐ The decision is documented by completing the Site Decision Form 9100-3 in WasteLAN or an equivalent document. The decision document must be printed, signed by the appropriate Regional official, and placed in the file.

A valid decision must be recorded in WasteLAN upon completion of a Federal facility ESI Review. Please refer to Exhibit A.2 in section A.A.5 for a list of valid qualifiers for this action and a description of each qualifier.

Changes in Definition FY 02/03 - FY 04/05:

State and Tribal leads were deleted as valid leads for this action.

Special Planning/Reporting Requirements:

Regions should attempt to complete ESI reviews at Federal facility sites listed in the CERCLIS inventory within a reasonable schedule upon receipt of a sufficient ESI. ESI review starts and completions are reported site-specifically in WasteLAN. Federal Facility Expanded Site Inspection Review starts and completions are program measures.

If the Federal facility ESI report does not provide sufficient information to complete the ESI, the report should be referred back to the Federal facility (SubAction Name = Referred back to Fed Fac). The date the report is referred back to the Federal facility is entered into WasteLAN as the actual completion date (Actual Complete) of the SubAction, 'Referred back to Fed Fac'. The actual completion date and qualifier for the Federal Facility Expanded Site Inspection Review should not be entered until all the report deficiencies have been addressed.

Regions are responsible for maintaining the accuracy of the non-NPL status for every non-NPL site in the CERCLIS inventory. As new actions and new dates are entered into WasteLAN, the system automatically calculates a new value for this field based on the traditional sequence of site assessment work. Regions must confirm or change this value as appropriate.

D.B.3 FEDERAL FACILITIES DEFINITIONS

a. BASE CLOSURE DECISIONS: START AND COMPLETIONS

Definition:

A base closure action occurs when EPA is involved in either a CERFA Section 120(h)(4) uncontaminated parcel determination, a Finding of Suitability to Transfer (FOST), a Finding of Suitability to Lease (FOSL), or a determination is made by EPA that an approved remedy is Operating Properly and Successfully (OPS) at BRAC locations pursuant to CERFA/CERCLA Section 120(h)(3). Under CERFA/CERCLA Section 120(h)(4), the military service must designate, and EPA/State is required to concur, on property that is uncontaminated. A FOST documents the conclusion that real property made available through the BRAC process is environmentally suitable for transfer by deed under Section 120(h) of CERCLA. A FOSL documents that property at a BRAC location is environmentally suitable for lease, i.e., that the reuse does not impede the environmental response at the location and that the use of the property is limited to a manner which will protect human health and the environment. Under CERCLA Section 120(h)(3), before property can be transferred by deed, the military service must demonstrate to EPA that the approved remedy is operating properly and successfully.

The phrase "operating properly and successfully" involves two separate concepts: operating "properly" is used if the remedy is operating as designed; and, operating "successfully" is used if the operation of the remedy will achieve the cleanup levels or performance goals for the particular contaminant delineated in the decision document. Where more than one remedial action is required for a parcel, all such actions must operate properly and successfully. Therefore, EPA interprets the term "operating properly and successfully" to mean that the remedial action was engineered and implemented and is functioning in such a manner that it is expected to achieve cleanup goals and adequately protect human health and the environment.

Definition of Accomplishment:

Base Closure Decision Start Date: Date that a document is received by EPA that identifies a facility or a parcel as a candidate to be transferred by deed or lease (e.g., EBS submitted); or a clean parcel determination is received by EPA for concurrence as required by CERFA; or the date of the written request submitted by the other Federal agency for concurrence on suitability to transfer or lease; or the date on which a written request for EPA concurrence is received that a 120(h)(3) remedy is operating properly and successfully.

Base Closure Decision Completion Date: The date the appropriate Regional official signs a letter, form, or memo stating that EPA has completed its review and provided comments or concurrence on the FOST or FOSL; or the date the appropriate Regional official signs a letter, form, or memo stating that EPA has completed its review of the demonstration that a remedy is operating properly and successfully for purposes of CERCLA section 120(h)(3); or the date the appropriate Regional official signs a letter concurring on a clean parcel identified under CERFA. **In addition to entering the date of completion, also enter the acreage covered by the Base Closure Decision Document.**

Changes in Definition FY 02/03 - FY 04/05:

None.

Special Planning/Reporting Requirements:

Base Closure Completions is a GPRA measure. Base Closure Starts is a program measure. Regions may enter acreage information through the FOST or FOSL screen in WasteLAN.

b. FEDERAL FACILITY AGREEMENT (FFA)/INTERAGENCY AGREEMENT (IAG)

Definition:

FFAs/IAGs are legal agreements between Federal agencies responsible for cleanup, EPA, and the States. A State may elect not to participate in FFA/IAG negotiations. FFA/IAGs set forth detailed requirements for performance of site response activities as well as appropriate enforcement responses to non-compliance with the FFA/IAG. The FFA/IAG requirement is set forth in Section 120(e) of CERCLA. **They are required at NPL facilities no later than 6 months after the first ROD is signed at the facility.**

Definition of Accomplishment:

FFA/IAG Start Date: Date notice letter is sent by EPA to the Federal facility, reported in WasteLAN as the actual start date (Actual Start) of FFA/IAG negotiations (Action Name = IAG Negotiation).

FFA/IAG Completion Date: Latter of the dates that the Federal agency, EPA, and/or State sign the IAG, or the date the Letter of Intent to sign an IAG is signed by all parties. This date must be reported in WasteLAN as the actual completion date (Actual Complete) of the FFA/IAG (Action Name = Federal Interagency Agreements).

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

FFA/IAG starts will be tracked as IAG negotiations (Action Name = IAG Negotiation). FFA/IAG completions will be tracked as the completion (Actual Complete) of the FFA/IAG (Action Name = Federal Interagency Agreement). For those FFAs/IAGs that are elevated for dispute resolution, record the date elevated as the actual completion date of the SubAction "IAG Dispute Admin Referral" and not as the FFA/IAG completion date. Regions do not receive credit for FFA/IAG completion when the FFA/IAG is elevated to HQ for dispute resolution. This is a **Program Measure**.

c. FEDERAL FACILITY DISPUTE RESOLUTION

Definition:

When the Federal agency, State, and/or EPA make an effort to formally or informally resolve a FFA/IAG dispute after the FFA/IAG is signed.

Definition of Accomplishment:

Dispute Resolution Start Date: Date that any party to the FFA/IAG sends a letter to the other parties notifying them as to the issue in dispute. This is reported in WasteLAN as the actual start date (Actual Start) of dispute resolution (Action Name = Alternative Dispute Resolution).

Dispute Resolution Completion Date: Date the document resolving the issue is signed (e.g., letter of agreement, agreement document). This is reported in WasteLAN as the actual completion date (Actual complete) of dispute resolution (Action Name = Alternative Dispute Resolution).

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

Federal Facility Dispute Resolution is reported in WasteLAN as Alternative Dispute Resolution (Action Name = Alternative Dispute Resolution) with a Federal facility (FF) lead. This is a program measure.

d. USE OF SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs)

Definition:

SEPs are environmentally beneficial projects which a Federal agency agrees to undertake to mitigate a monetary penalty, but which the violator is not otherwise legally required to perform. The SEP could be for public health, pollution prevention, pollution reduction, environmental restoration and protection, assessments and audits, environmental compliance promotion, emergency planning and preparedness, or other program-specific projects.

Definition of Accomplishment:

The date of agreement between EPA and Federal agency to implement a SEP is reported in WasteLAN as the SubAction "Supplemental Envir Projects". The estimated dollar value of the SEP must also be entered.

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

This is a program measure. Both the number of SEPs and their estimated value will be tracked. The estimated value of the SEP is reported on the Penalty/SEP screen in the Federal Facilities module in WasteLAN.

e. REMEDIAL INVESTIGATION/FEASIBILITY STUDY (RI/FS) OR RCRA FACILITY INVESTIGATION (RFI) STARTS

Definition:

The RI/FS is a CERCLA investigation designed to characterize the site, assess the nature and extent of contamination, evaluate potential risks to human health and the environment, and develop and evaluate potential remedial alternatives. A RFI is a RCRA investigation designed to evaluate thoroughly the nature and extent of the release of hazardous wastes and hazardous constituents and to gather necessary data to support the Corrective Measure Study (CMS) and/or Interim/Stabilization Measure (ISM).

Definition of Accomplishment:

The RI/FS (Action Name = FF RI/FS or FF RI) or RFI (Action Name = RCRA Facility Investigation) start is defined as follows:

- Sites where there has been no RI/FS or RFI work started prior to the effective date of the FFA/IAG, the actual start date (Actual Start) is the EPA or State receipt of a draft work plan for the RI/FS or RFI; or
- Sites where RI/FS or RFI work has been started prior to the FFA/IAG effective date and there has been substantial EPA or State involvement (EPA or the State has reviewed and commented, approved/concurred, or accepted the work plan), the actual start date (Actual Start) is also the date of receipt of a draft RI/FS or RFI work plan (Note: this date will be prior to IAG completion date); or
- Sites where RI/FS or RFI work starts prior to the FFA/IAG effective date and there has been limited EPA or State involvement, the date of the RI/FS or RFI actual start date (Actual Start) is the latter date that EPA or the State and the other agency sign the FFA/IAG.

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

This is a program measure.

f. TIMESPAN FROM FINAL NPL LISTING TO RI/FS

Definition:

Superfund Amendments and Reauthorization Act (SARA) Section 120(e) states “not later than six months after the inclusion of any facility on the NPL, the department, agency, or instrumentality shall ... commence a RI/FS for such facility.” This measure calculates the days and the time frame from final NPL Listing to the first RI/FS start. Sites with time frames greater than 180 days will be deemed not to have met this requirement.

Definition of Accomplishment:

This measure will calculate, by site, the interval between final NPL listing (publication of final listing in the *Federal Register*) and the actual date for the first RI/FS start. The timespan will be calculated based on the RI/FS start definition outlined above and the final NPL listing (Action Name = Final Listing on NPL) actual completion date (Actual Complete).

Changes in Definition FY 02/03 - FY 04/05:

None.

Special Planning/Reporting Requirements:

This is a GPRA APM reporting measure. Data in WasteLAN will be used to calculate the timespan on an annual basis. HQ will perform the analysis at the end of the fiscal year.

g. DECISION DOCUMENTS**Definition:**

Upon completion of a Federal facility RI/FS, CMS, Engineering Evaluation/Cost Analysis (EE/CA), the Federal agency selects a remedy that is presented in a cleanup decision document (e.g., ROD, RCRA Statement of Basis/Response To Comments, Action Memo, Removal Action Decision Document, **ROD Amendment or Explanation of Significant Difference (ESD)**). EPA may either approve or concur on the remedy selection or, in the case of a dispute, EPA may select the remedy. For EPA, this authority has been delegated to the Regional Administrator or her/his delegate.

Definition of Accomplishment:

Date (Actual Complete) the ROD (Action Name = Record of Decision), the appropriate RCRA Statement of Basis/Response to Comments (Action Name = RCRA SB/RTC), Action Memo (Action Name = Approval of Action Memo), Removal Action Decision Document (Action Name = Removal Action Decision Doc), **ROD Amendment (Action Name = Record of Decision and SubAction Name = ROD Amendment) or Explanation of Significant Difference (Action Name = Record of Decision and SubAction Name = Explanation of Significant Diff) or** is signed by the Regional Administrator or delegatee, or the date of EPA concurrence/approval on the clean-up decision document pursuant to FFA/IAG or other enforceable decision document, or the date of EPA's letter of concurrence.

Changes in Definition FY 02/03 - FY 04/05:

Removal Action Decision Document, **ROD Amendment and Explanation of Significant Difference** completion dates have been added to the accomplishment definition.

Special Planning/Reporting Requirements:

The ROD Completion date is the same as the RI/FS completion date. The EE/CA completion date is the same as the Action memo or Removal Action Decision Document completion date. The date of the RCRA Corrective Measure Decision document is the CMS Completion date. This is a program target.

h. Final Remedy Selected/Final ROD Authority**Definition:**

This measure will track the **Government Performance and Results Act (GPRA)** Final Remedy Selected at NPL Sites. **Final Remedy Selected documents will also be tracked in CERCLIS for non-NPL sites but will not count towards the GPRA goal.** A Final Remedy Selected occurs when a final decision has taken place at a site (i.e. the final remedy has been selected at the last OU for a site). This can include the signature of the final ROD, **ROD Amendment or Removal Action** at a site. **Sites which are Construction Complete or sites deleted from the NPL may also be eligible for a Final Remedy Determination. In general, Explanation of Significant Difference will not constitute a Final Remedy Selected since that documents a non-fundamental change to a remedy. Also, a partial deletion from the NPL does not constitute a Final Remedy Selected since it does not constitute a final decision for the entire site.**

Definition of Accomplishment:

Credit under CERCLA for a Final Remedy Selected is received when:

- A site has a Final ROD or ROD Amendment and no existing planned ROD, ROD Amendment, Removal Action Memorandum, RI/FS or EE/CA. The date the designated Regional Official or the AA OSWER signs the ROD at a site for each RA is reported in WasteLAN as the ROD (Action Name = Record of Decision) completion date (Actual Complete); or
- Site has a Removal Action Memorandum and no existing planned ROD, RI/FS, EE/CA or planned action memorandum.
- Site is Construction Complete as documented by the actual completion date (Actual Complete) of the Preliminary Close-Out Report (Action Name = Prelim Close-Out (PCOR) Rep Prepared), or the actual completion date (Actual Complete) of the Final Close-Out Report (Action Name = Close-Out Report) and HQ has entered the Construction Completion indicator in WasteLAN and no future ROD, ROD Amendment, Action Memorandum, RI/FS or EE/CA is planned. (The Final Remedy Selected designation may only be applied to the PCOR if there is no previous ROD, ROD Amendment, or Action Memorandum that constitutes the Final decision.)
- Site has been deleted from the NPL (Action Name = Final Deletion from NPL), which is documented when the Notice of Deletion is published in the Federal Register and no future ROD, ROD Amendment, Action Memorandum, RI/SF or EE/CA is planned. (The Final Remedy Selected designation may be applied to the Final Notice of Deletion if there is no PCOR and if there is no previous ROD, ROD Amendment or Action Memorandum that constitutes the Final decision.)

Changes in Definition FY02/03 - FY04/05:

This is a new measure for FY 04.

Special Planning/Reporting Requirements:

This is a GPRA measure.

i. EXPLANATIONS OF SIGNIFICANT DIFFERENCE (ESD) AND ROD AMENDMENTS

Definition:

An Explanation of Significant Difference (ESD) documents significant changes to a Record of Decision (ROD). Significant changes generally involve a change to a component of a remedy that does not fundamentally alter the overall cleanup approach. A ROD Amendment documents fundamental changes to the remedy selected in the ROD. Fundamental changes involve an appreciable change or changes in the scope, performance, and/or cost or may be a number of significant changes that together have the effect of a fundamental change.

Definition of Accomplishment:

Explanation of Significant Difference: The Date (Actual Complete) the ESD (Action Name = Record of Decision and SubAction Name = Explanation of Significant Diff) is signed by the Regional Administrator or delegate, or the date of EPA concurrence/approval on the clean-up decision document pursuant to FFA/IAG or other enforceable decision document, or the date of EPA's letter of concurrence.

ROD Amendment: The date (Actual Complete) the ROD Amendment (Action Name = Record of Decision and SubAction Name = ROD Amendment) is signed by the Regional Administrator of delegate, or the date of EPA concurrence/approval on the cleanup decision document pursuant to FFA/IAG or other enforceable decision document, or the date of EPA's letter of concurrence.

Changes in Definition FY 02/03 - FY 04/05:

This is a new Program Measure

Special Planning/Reporting Requirements:

This is a Program Measure **but also counts towards the Program Target for Decision Documents.**

j. REMEDIAL DESIGN

Definition:

The RD is a CERCLA design that establishes the general size, scope, and character of a project, and details and addresses the technical requirements of the RA selected in the ROD. The RD may include, but is not limited to, drawings, specification documentation, and statement of bidability and constructability. The CMD is a RCRA design that establishes the general size, scope, and character of a project, and details and addresses the technical requirements of the CMC selected in the RCRA Corrective Measure decision document. The CMD may include, but is not limited to, drawings, specification documentation, and statement of bidability and constructability. A RD or CMD is complete when the plans and specifications for the selected remedy are developed and approved.

Definition of Accomplishment:

RD Start - If post-ROD, the RD (Action Name = FF RD) or CMD (Action Name = Corrective Measure Design) start date (Actual Start) is the date of submission of the RD or CMD work plan or other appropriate documents or statement of work. If work begins prior to the ROD, the RD or CMD actual start date (Actual Start) will be the ROD signature date or submission date of RD or CMD work plan or any other major deliverable (e.g., 30% design complete).

RD Completion - RDs and CMDs are considered complete the date a letter is signed by the appropriate Regional official approving the entire final RD or CMD package. If EPA does not approve the final RD or CMD package, the RD or CMD is considered complete the date of the Commerce Business Daily (CBD) or other appropriate publication requesting bids on the final RD or CMD package. This date is reported in CERCLIS as the actual completion date (Actual Complete) of the RD (Action Name = FF RD) or CMD (Action Name = Corrective Measure Design).

Changes in Definition FY 02/03 - FY04/05

New measure for FY 04/05.

Special Planning/Reporting Requirements:

This is a SCAP reporting measure. RD or CMD starts and completions are reported site-specifically (Action Name = FF RD or Corrective Measure Design) in CERCLIS.

k. DURATION OF ROD TO IAG NEGOTIATION COMPLETION

Definition:

The objective of this measure is to focus attention on the statutory requirement for an IAG to be entered into within 180 days after signature of the ROD. SARA Section 120(e) (2) states that “within 180 days [after signature of the ROD], the head of the department, agency, or instrumentality concerned shall enter into a IAG with the administrator for the expeditious completion by such department, agency, or instrumentality of all necessary remedial action at such facility.” This measure tracks compliance against the CERCLA Section 120 statutory requirements.

Definition of Accomplishment:

The duration of ROD to IAG will be calculated based on the actual completion date of the ROD (Action name = Record of Decision) and the latter of the dates that the Federal agency, EPA, and/or State sign the IAG, or the date the Letter of Intent to sign an IAG is signed by all parties, as reported in WasteLAN as the actual completion (Actual Completion) of FFA/IAG negotiations (Action Name = IAG Negotiation).

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

This is a GPRA APM reporting measure. Data in WasteLAN will be used to calculate the timespan on a semi-annual basis. HQ will perform the analysis.

l. REMEDIAL ACTION (RA) OR RCRA CORRECTIVE MEASURE IMPLEMENTATION (CMI) STARTS

Definition:

A RA or CMI is the implementation of the remedy selected in the ROD or appropriate RCRA corrective measure decision document at NPL sites to ensure protection of human health and the environment.

Definition of Accomplishment:

Date on which substantial, continuous, physical, on-site, remedial actions begin pursuant to SARA Section 120(e) as documented by a memo or letter to EPA. This date is reported in WasteLAN as the actual RA (Action Name = FF RA) or CMI (Action Name = Corrective Measure Implementation) start date (Actual Start).

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

This is a program measure. RA or CMI starts are reported site specifically (Action Name = FF RA or Corrective Measure Implementation) in WasteLAN.

m. TIMESPAN FROM ROD SIGNATURE TO RA START**Definition:**

The objective of this measure is to focus attention on the statutory requirement for an RA start within 15 months of the ROD signature.

SARA Section 120(e) states that “substantial, physical, on-site remedial action shall be commenced at each Federal facility no later than 15 months after completion of the investigation and study.” This measure tracks compliance against the CERCLA Section 120 statutory requirements.

Definition of Accomplishment:

This measure will look at Federal agency performance by comparing the average timespan from ROD signature to RA start for all sites where a RA actually started in FY 04/05. Sites exceeding the 15 month requirement will be identified. Comparisons will be made to previous Agency performance to determine trends.

The durations will be calculated using the actual ROD (Action Name = Record of Decision) completion date (Actual Complete) and the actual RA (Action Name = FF RA) start date (Actual Start) in WasteLAN. The ROD signature and RA start definition contained in Decision Documents and RA or Corrective Measure Construction Starts, respectively, will be used in the analysis.

Changes in Definition FY 02/03 - FY 04/05:

None.

Special Planning/Reporting Requirements:

This is a GPRA APM reporting measure. Data in WasteLAN will be used to calculate the timespan on a semi-annual basis. HQ will perform the analysis.

n. RA OR CMI COMPLETIONS**Definition:**

A RA or CMI is complete when construction activities are complete, a final inspection has been conducted, and an interim or final RA Report or appropriate CMI reporting vehicle has been prepared and approved by EPA in writing. This report summarizes site conditions and construction activities. Note: This date may be later than 120(h)(3) BRAC requirements for base closure.

Definition of Accomplishment:

The RA or CMI is complete the date that the designated Regional official (Branch Chief or above, as determined by the EPA Region) approves in writing the interim or final RA Report or signs the interim or final report or appropriate CMI reporting vehicle for the RA or CMI that documents the completion of construction activities. In lieu of a report from the contractor's construction manager, the region must prepare a report to document the completion. The approval can be provided with an appropriate signature on the RA Report cover sheet or by letter to the originator of the RA Report. The appropriate date must be recorded in WasteLAN as the actual completion date (Actual Complete) of the RA (Action Name = FF RA) or CMI (Action Name = Corrective Measure Implementation).

An action qualifier must be entered into WasteLAN indicating the RA was completed via an Interim or Final RA Report (Action Qualifier = Interim RA or Final RA).

Interim Remedial Action Report

Criteria for approval of the Interim Remedial Action Report are:

- ☐ The remedy includes groundwater or surface water restoration, with active treatment or natural attenuation, to reduce contaminant concentrations to meet cleanup goals and cleanup goals have not been achieved;
- ☐ The construction of the treatment and/or monitoring system is completed and the system is operating as intended;
- ☐ If the RA includes remedy components other than groundwater, construction activities are complete and cleanup goals specified in the ROD have been achieved for these components;
- ☐ A contract final inspection or equivalent has been conducted;
- ☐ Institutional controls, if applicable, are in place; and
- ☐ The Interim Remedial Action Report contains the information described in “Close Out Procedures for National Priorities List Sites.”

Note: When an Interim RA Report is prepared as indicated above, a Final RA Report is later required once cleanup goals for the groundwater or surface water restoration are achieved.

Final Remedial Action Report

Criteria for approval of the Final Remedial Action Report are:

- ☐ All construction activities are complete, including site restoration and demobilization;
- ☐ All cleanup goals specified in the ROD have been achieved, including ground and surface water restoration;
- ☐ A contract final inspection or equivalent has been conducted;
- ☐ Institutional controls, if applicable, are in place; and
- ☐ The Final Remedial Action Report contains the information described in “Close Out Procedures for National Priorities List Sites.”

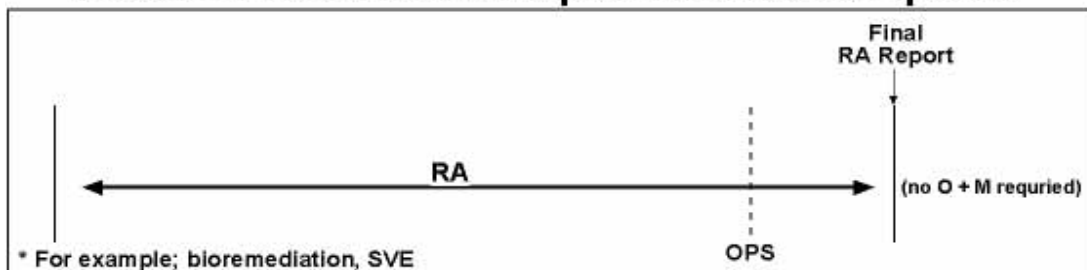
The following table provides examples of Remedial Actions and indicates when Remedial Action Completion can be achieved.

Remedial Action Completion Examples

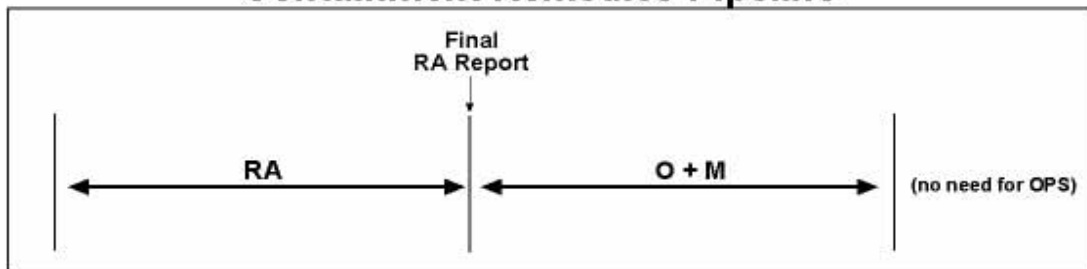
Example RA	RA Complete
Excavation and off-site disposal of contamination.	After all wastes have been excavated, removed from the site to an approved location, site has been restored, cleanup goals have been achieved, and the Final RA Report is approved. Since wastes have been removed, no O&M activities for this remedy are expected.
On-site treatment of wastes, other than groundwater or surface water, to achieve cleanup goals (e.g., soil vapor extraction, bioremediation, incineration).	After cleanup goals have been achieved for the treated wastes, site has been restored, and the Final RA Report is approved. Since wastes have been treated to achieve cleanup levels, no O&M activities for this remedy are expected.
Containment remedies (e.g., caps, flood/erosion control measures, barrier walls, leachate collection/treatment measures, groundwater measures to capture or prevent migration of plume, or surface water interception/diversion measures).	After construction of the designed remedy is complete, cleanup goals have been achieved, and the Final RA Report is approved. O&M activities follow.
Groundwater and surface water restoration remedies that involve active treatment to reduce contaminant concentrations to meet cleanup goals.	After construction of the treatment plant and monitoring system are completed, the plant/system is operating as intended, and the Interim RA Report is approved. O&M activities follow. The Final RA Report is prepared when cleanup levels are achieved.
Groundwater and surface water restoration remedies where restoration is later determined to be technically impracticable (TI waiver).	After ROD Amendment has documented the TI waiver, other cleanup goals have been achieved and Final RA Report is approved. O&M activities may follow if further monitoring is needed.

EXHIBIT D.2
Remedial Pipeline Flow Charts

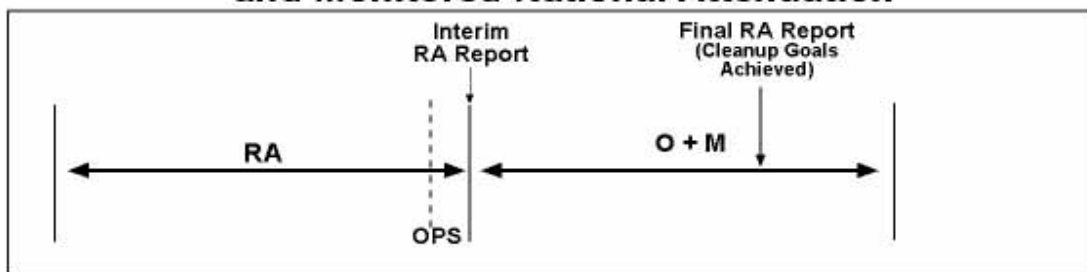
Treatment and Off-site Disposal Remedies Pipeline



Containment Remedies Pipeline



**Ground Water and Surface Water Restoration Pipeline
and Monitored Natural Attenuation**



OPS= Operating Properly & Successfully and applies only to BRAC sites.

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

This is a program target. RA or CMI (Action Name = FF RA or Corrective Measure Implementation) completions are reported site specifically in WasteLAN. An action qualifier must be entered into WasteLAN indicating the RA was completed via an Interim or Final RA Report (Action Qualifier = Interim RA or Final RA).

o. REMOVAL OR RCRA INTERIM/STABILIZATION MEASURE (ISM) — STARTS AND COMPLETIONS**Definition:**

Removal actions are defined as the cleanup or removal of released hazardous substances from the environment, and the necessary actions taken in the event of the threat of release of hazardous substances into the environment. ISMs are defined as RCRA removal actions that are intended to abate threats to human health and the environment from releases and/or to prevent or minimize the further spread of contamination while long-term remedies are pursued. Regions need to report removal actions conducted in response to emergency, time-critical, and non-time critical (NTC) situations at BRAC, non-NPL or NPL sites. Under the Defense Environmental Restoration Program (DERP), DoD is required to notify EPA of its removal actions. Long-term O&M should not be conducted under the removal.

Definition of Accomplishment:

Removal/ISM Start Date: Date the Federal agency begins actual on-site removal work, or the date of Action Memorandum signature, or the date the lead Federal agency provides notice to EPA, or other decision document signature/approval. The date must be reported in WasteLAN as the actual start date (Actual Start) of the removal (Action Name = FF Removal) or ISM (Action Name = RCRA Interim/Stabilization Measure).

Removal/ISM Completion Date: Actual date the Federal agency has demobilized and notified EPA, completing the scope of work delineated in the Action Memorandum or other decision document. The date must be reported in WasteLAN as the actual completion date (Actual Complete) of the removal (Action Name = FF Removal), or ISM (Action Name = RCRA Interim/Stabilization Measure).

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

See Definition of Accomplishment. Removal or RCRA ISM starts is a GPRA measure; Removal or RCRA ISM completions is a program measure.

p. NPL SITE CONSTRUCTION COMPLETIONS**Definition:**

Construction at a NPL site is considered complete when physical construction is complete for the entire site as a result of one or several removal or remedial actions; and a Preliminary or Final Close Out Report (PCOR or FCOR) has been signed by the designated Regional official and concurred with by HQ. The report must address construction activities for the entire site. There is only one NPL site construction completion per NPL site, and the site must be final on the NPL. For more detailed information, see OSWER Directive 9320.2-09A-P, "Close Out Procedures for National Priorities List Sites."

Definition of Accomplishment:

The following table explains coding and accomplishment requirements.

NPL Site Construction Completion		
Examples of last OU or activity	When Construction is Complete	Coding Requirements
1) Excavation and off-site disposal of contamination, 2) On-site treatment of wastes (except for groundwater restoration, bioremediation or soil vapor extraction), or 3) Containment remedies.	Pre-final inspection has been conducted, only minor punch list items remain, and the designated Regional official has signed the Preliminary or Final Close-Out Report (PCOR or FCOR).	<p>The region enters completion date of the report into WasteLAN as the actual completion date (Actual Complete) of the Preliminary Close-Out Report [Action Name = Prelim Close-Out Rep Prepared], or the actual completion date (Actual Complete) of the Final Close-Out Report [Action Name = Close Out Report]</p> <p>AND</p> <p>HQ enters the Construction Completion indicator into WasteLAN. This action constitutes HQ concurrence with the PCOR or FCOR documentation.</p>
In-situ bioremediation, ex-situ bioremediation, or soil vapor extraction.	Treatment unit has been constructed, is operating as designed, studies show that technology will achieve cleanup goals, and the designated Regional official has signed the PCOR.	
Interim action RODs for groundwater restoration to reduce contaminant concentrations to meet cleanup goals.	Remedy is documented in final ROD, physical construction of the remedy is complete, and the designated Regional official has signed the PCOR.	
RODs with contingency remedies	Physical construction of the remedy is complete, a pre-final inspection has been conducted, only minor punch list items remain, the PCOR or FCOR demonstrates that use of the contingency is not anticipated, and the designated Regional official has signed the PCOR or FCOR.	
Sites deleted from the NPL prior to reaching Construction Completion.	When (1) EPA determines that all physical construction is complete under all statutory authorities, and (2) all other applicable construction completion policy criteria have been satisfied.	Consistent with requirements for final NPL sites.

NPL Site Construction Completion (cont'd.)		
Examples of last OU or activity	When Construction is Complete	Coding Requirements
Sites requiring no remedial action or no further remedial action in the last OU. This includes groundwater monitoring if that is the only activity specified in the ROD.	No action or no further action ROD has been signed, and the designated Regional official has signed the PCOR or FCOR. Effective in FY 99, No Action RODs will not be accepted for Construction Completion.	The region enters the completion date of the report into WasteLAN as the actual completion date (Actual Complete) of the PCOR (Action Name = Prelim Close-Out Report Prepared) or the actual completion date (Actual Complete) of the Final Close-Out Report (Action Name = Close Out Report).
Institutional controls as the only remedy in the ROD.	The PCOR indicates that the institutional controls are in the schedule for site completion, and the designated Regional official has signed the PCOR. If institutional controls have been implemented, region can go directly to FCOR.	AND HQ enters the Construction Completion indicator into WasteLAN. This action constitutes HQ concurrence with the PCOR or FCOR documentation.
NPL site entirely addressed through removal actions. For removals with institutional controls, see above.	Actual date the Federal agency has demobilized and notified EPA, completing the scope of work delineated in the Action Memorandum or other decision document. The date must be reported in WasteLAN as the actual completion date (Actual Complete) of the removal (Action Name = FF Removal), or ISM (Action Name = RCRA Interim/Stabilization Measure).	The region enters the following into WasteLAN: The removal (Action Name = Removal Action or PRP Removal) actual completion date (Actual Complete) as reported in the POLREP; and the Qualifier that indicates that the site is Cleaned Up; and the actual completion date (Actual Complete) of the Final Close-Out Report (Action Name = Close Out Report); AND HQ enters the Construction Completion indicator into WasteLAN. This action constitutes concurrence with the FCOR documentation.

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

Regions will not receive credit for a NPL Site Construction Completion until the actual completion date of the Preliminary or Final Close-Out Report is entered into WasteLAN, the necessary documentation is submitted to HQ, and HQ enters the construction completion indicator into WasteLAN. Regions identify sites to meet the goal prior to the start of the FY. This is a GPRA annual performance goal.

q. OPERATION AND MAINTENANCE (O&M)

Definition:

O&M are the activities required to maintain the effectiveness or integrity of the remedy **including institutional controls**. Except in the case of groundwater or surface restoration remedies, including monitored natural attenuation, O&M measures are initiated after cleanup goals are achieved, and the remedy is operating as intended. In the case of groundwater or surface water restoration remedies, including monitored natural attenuation, O&M measures are initiated when the remedy is operating as intended.

O&M [Action Name = Operations and Maintenance] starts when the designated EPA Regional Official (Branch Chief or above, as determined by the EPA region) approves in writing the Interim or Final Remedial Action Report.

Where appropriate, the completion of O&M is defined as the date (actual complete) specified in the FFA/IAG. If O&M must be conducted indefinitely, regions should not enter as actual completion date.

Changes in Definition for FY 02/03 - FY 04/05:

O&M also includes maintenance of institutional controls.

Special Planning/Reporting Requirements:

This is a program measure.

r. CLEANUP OBJECTIVES ACHIEVED

Definition:

This measure is used to indicate when cleanup **objectives** are achieved for groundwater and surface water restoration, including monitored natural attenuation. It tracks achievement of cleanup **objectives** for these remedies because they have not yet achieved cleanup **objectives** at Remedial Action completions.

Definition of Accomplishment:

Cleanup **objectives** are achieved when the designated Regional Official (Branch Chief or above) approves in writing the Final Remedial Action Report. This report should update information previously prepared in the Interim Remedial Action Report. For more detailed information, see OSWER Directive 9320.2-09A-P, "Close Out Procedures for Completion and Deletion of National Priorities List Sites."

Changes in Definition FY 02/03 - FY 04/05:

Cleanup Goals are now referred to as Cleanup Objectives.

Special Planning/Reporting Requirements:

Cleanup **Objectives** Achieved is planned on an action specific basis (Action Name = Operations & Maintenance and SubAction Name = Cleanup Goals Achieved) in WasteLAN. This is a program measure.

s. FEDERAL FACILITY FIVE-YEAR REVIEWS

Definition:

Five-year reviews are intended to evaluate whether the response action implemented at NPL site remains protective of public health and the environment, is functioning as designed, and necessary operation and maintenance is being performed. **At a minimum of** every five years, EPA, or the lead Federal agency, **conducts a statutory** review any site at which a post-SARA remedy, upon, attainment of cleanup levels specified in the ROD, will not allow unlimited use and unrestricted exposure. EPA, or the lead Federal agency conducts policy reviews at sites where remedial actions will take longer than five years to complete, and sites with pre-SARA remedies at which the cleanup levels do not allow unlimited use and unrestricted exposure. **EPA may conduct five-year reviews at their discretion for other sites.**

Definition of Accomplishment:

Federal Facility Five-Year Review Starts - Credit is given for a five-year review start when EPA approves the five-year review work plan submitted by the other Federal agency, or when the Federal facility actually starts the review or submits the draft document for review, as outlined in the ROD or IAG. The actual start date (Actual Start) for the five-year review (Action Name = **FF FYR**) must be entered into WasteLAN. There are multiple triggers for five-year reviews. Please reference policy to select the appropriate method for calculating the five-year review date.

Federal Facility Five-Year Review Planned Completions - The FF FYR planned completion date and the report due (SubAction Name = FYR Report Due) date are system generated based on the Five-year review type entered at the time of ROD completion.

Statutory: The FF FYR and FYR Report Due planned completion date fields are populated for five years after the Federal facility RA action planned start date. Both the FF FYR planned completion date and the FYR Report Due planned completion date will be updated by the system based on changes to the planned or actual start dates for triggering FF RA action. The FF FYR planned completion date will be editable. The FYR Report Due planned completion date will be greyed out and uneditable and will be locked once the actual start date for the FF RA is entered. Please see the Five-Year Review section of Appendix B for the definition of Statutory Five -Year review.

Policy: The FF FYR and FYR Report Due planned completion dates are populated for five years after the PCOR or FCOR planned completion date. Both the FF FYR planned completion date and the FYR Report Due planned completion date will be updated by the system based on changes to the planned or actual completion dates for the triggering PCOR or FCOR. The FF FYR planned completion date will be editable. The FYR Report Due planned completion date will be greyed out and un-editable and will be locked once the actual completion date of the PCOR or FCOR is entered. Please see the Five-Year Review section of Appendix B for the definition of Policy Five -Year review.

Federal Facility Five-Year Review Actual Completions - The five-year review is complete on the date the designated Regional official either signs the five year review report stating whether the remedy is, or is not, protective of human health and the environment, or has concurred on the five year review report, or has made their own protectiveness determination. The actual completion date (Actual Complete) for the five-year review (Action Name = **FF FYR**) must be entered into WasteLAN.

Changes in Definition FY 02/03 - FY 04/05:

Expanded the description of Definition of Accomplishment to include specifics about system-generated FF FYR and FYR Report Due planned completion dates. Updated Action Name.

Special Planning/Reporting Requirements:

Five-year Review Completes is a program measure. Five-year review completes must be planned and reported site-specifically (Action Name = **FF FYR**) in WasteLAN. The trigger for a statutory five-year review is the actual **start** date of the **FF RA Start**.

Note: Five-Year Review Completions are a program measure for Federal facilities. For Superfund, Five-Year Review Completions are program targets (See Exhibit B.1 in Appendix B and Exhibit D.1 in Appendix D).

t. FEDERAL FACILITY PARTIAL NPL DELETION

Definition:

EPA will consider partial deletion for portions of sites when no further response is appropriate for that portion of the site. Such portion may be a defined geographic unit of the site, perhaps as small as a residential unit, or may be a specific medium at the site (e.g., groundwater), depending on the nature or extent of the release(s). The criteria for partial deletion are the same as for final deletion. Given State concurrence, EPA considers:

- ☐ Whether responsible or other parties have implemented all appropriate and required response actions;
- ☐ Whether all appropriate Fund-financed responses under CERCLA have been implemented and EPA has determined that no further cleanup by responsible parties is appropriate; or
- ☐ Whether the release of hazardous substances poses no significant threat to the public health, welfare or the environment, thereby eliminating the need for remedial action.

The partial deletion action should only be used when the deletion does not address all releases listed on the NPL. If a deletion does cover the remaining release listed on the NPL, the action should be treated as a Final NPL Deletion (Action Name = Deletion from NPL), discussed below.

Definition of Accomplishment:

The partial NPL deletion process (Action Name = Partial NPL Deletion) starts (Actual Start) when a Notice of Intent to Delete is published in the *Federal Register* for that specified portion of the site. If the Direct Final Process for Partial Deletions is used, the process begins when the Direct Final Action Notice is published in the Federal Register [Action Name = Notice of Intent to Delete].

The partial NPL deletion process (Action Name = Partial NPL Deletion) is complete (Actual Complete) when the Notice of Partial Deletion is published in the *Federal Register* for that specified portion of the site. If the Direct Final Process for Partial Deletions is used and the comment period has ended with no adverse comments, the actual completion (Actual Complete) is the effective date of deletion specified in the Direct Final Action Notice.

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

Partial NPL deletions are tracked separately from final NPL deletions (Action Name = Deletion from NPL). Partial site deletions will be entered by the regions if a portion, or portions, of the release remain listed on the NPL following completion of the partial deletion.

A site deletion (Action Name = Deletion from NPL) will be entered by the regions if the deletion activity addresses all remaining releases listed on the NPL (either as a one-time deletion action for the entire site as originally listed, or as the last deletion activity associated with a site subject to previous partial deletions). This is a program measure.

u. FEDERAL FACILITY FINAL NPL DELETION

Definition:

With State concurrence, EPA may delete sites from the NPL when it determines that no further response is appropriate under CERCLA. In making that determination, EPA considers:

- ☐ Whether responsible or other parties have implemented all appropriate and required response actions;
- ☐ Whether all appropriate Fund-financed responses under CERCLA have been implemented and EPA has determined that no further cleanup by responsible parties is appropriate; or
- ☐ Whether the release of hazardous substances poses no significant threat to the public health, welfare or the environment, thereby eliminating the need for remedial action.

EPA will consider deleting the entire site or portions of sites from NPL, as appropriate. EPA will consider partial deletion for portions of sites when no further response is appropriate for that portion of the site. Such portions may be a defined geological unit of the site, or may be a specific medium at the site. If a decision does cover the remaining release listed on the NPL, the action should be treated as a Final NPL Deletion. State concurrence is required for any deletion.

Definition of Accomplishment:

The deletion process for the entire site [Action Name = Deletion from the NPL] starts (Actual Start) when a Notice of Intent to Delete is published for the *Federal Register*. If the Direct Final Process for Partial Deletions is used, the process begins when the Direct Final Action Notice is published in the Federal Register [Action Name = Notice of Intent to Delete].

The deletion process for the entire site [Action Name = Deletion from the NPL] is complete (Actual Complete) when the Notice of Deletion is published in the *Federal Register*. If the Direct Final Process for Partial Deletions is used and the comment period has ended with no adverse comments, the actual completion (Actual Complete) is the effective date of deletion specified in the Direct Final Action Notice.

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

An entire site deletion action (Action Name = Deletion from the NPL) will be entered by the regions if the deletion activity addresses the remaining release listed on the NPL (either as a one-time deletion event for the entire site as originally listed, or as the last deletion activity associated with a site subject to previous partial deletions). When the Notice of Deletion is published, the regions will change the NPL Status in WasteLAN to "Deleted from Final NPL." This is a program measure.

D.B.4 COMMUNITY INVOLVEMENT DEFINITIONS

The following section contains Community Involvement requirements for Federal facilities . Community Involvement requirements for non-Federal facility sites are included in Appendix J.

a. RESTORATION ADVISORY BOARDS(RABs)/SITE-SPECIFIC ADVISORY BOARDS (SSABs)

Definition:

Site-Specific Advisory Boards (SSABs) are a forum for experts and concerned stakeholders to provide advice and recommendations on DOE's Environmental Management strategic decisions. Restoration Advisory Boards (RABs) provide a forum through which members of nearby communities can provide input to DoD's environmental restoration program.

RABs and SSABs complement other community involvement activities, such as public meetings, mailings, and local information repositories.

Definition of Accomplishment:

RAB/SSAB Start (Established) Date: The actual start date of the RAB/SSAB is defined as the actual start date (Actual Start) of the initial RAB/SSAB information meeting (SubAction Name = Site-Specific Advisory Board Meeting or SubAction Name = Restoration Advisory Board Meeting).

RAB Completion (Adjourned) Date: The actual completion (Actual Complete) date of the 'Restoration Advisory Board' (SubAction Name = Restoration Advisory Board) is the date the RAB is adjourned by DoD (SubAction Name = Restoration Advisory Board).

SSAB Completion (Terminated) Date: The actual completion (Actual Complete) date of the 'Site-Specific Advisory Board' (SubAction Name = Site-Specific Advisory Board) is the date the SSAB is terminated by the Secretary of Energy (SubAction Name = Site-Specific Advisory Board).

Changes in Definition FY 02/03 - FY 04/05:

The RAB and SSAB start definitions were modified.

Special Planning/Reporting Requirements:

This is a GPRa measure. The data management approach for tracking the adjournment of RABs and the termination of SSABs is still under development. Site Specific Advisory Board Meeting and Restoration Advisory Board Meeting are valid SubActions under Federal Facility Community Relations.

b. TECHNICAL ASSISTANCE GRANTS (TAGs)

This measure is being withheld pending OGC & EPA Grants approval.

c. TECHNICAL OUTREACH SERVICES FOR COMMUNITIES (TOSC)**Definition:**

TOSC provides independent scientific and technical assistance to communities dealing with hazardous substance contamination questions. TOSC provides information and education to empower communities with an understanding of technical issues to more effectively participate in environmental decisions. TOSC is a service of the University-based Hazardous Substance Research Centers (HSRCs) which are, in part, supported by grants from EPA.

Definition of Accomplishment:

The start of a TOSC is the date when the MOU (Memorandum of Understanding) is signed, which is the date of the commitment between the community and the HSRCs. The date the MOU is signed should be reported in WasteLAN as the actual start date (Actual Start) of the TOSC (Action Name = Technical Outreach Services to Communities).

Changes in Definition FY 02/03 - FY 04/05:

None

Special Planning/Reporting Requirements:

The region must indicate on the Community Organizations Information screen that the organization is a TOSC recipient. This is a program measure.

D.C SUBJECT MATTER EXPERTS

Exhibit D.3 identifies the subject matter experts for Appendix D: Federal Facilities.

**EXHIBIT D.3
SUBJECT MATTER EXPERTS**

Subject Matter Experts	Subject Area	Phone #
Brandon Roache	Federal Facility Response	(703) 603-8704
Tracey Seymour	Federal Facility Response	(703) 603-8712
Joshua Barber	Federal Facility Response	(703) 603-0265

**This Page Intentionally
Left Blank**